UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,850	11/30/2001	Daniel J. Aldrich	1708	9608

7590 10/05/2004	EXAMINER
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Sprint Law Department	

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2126	

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DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 November 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *19-24* is/are allowed.

6)☒ Claim(s) *1-16 and 18* is/are rejected.

7)☒ Claim(s) *17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

   a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-24 are presented for the examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims **1-9,14-16 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Edwards et al (US. 6,353,819 B1).

3.   **As to claim 1,** Edwards teaches the invention substantially as claimed including: a first

architecture layer (the RAM Codegen Executor Component layer 204, col 5, ln 19/ Fig. 2), a

second architecture layer (the record file manager component layer 206, col 5, ln 5-7/ Fig. 2), a

layer (the IO Random controller component layer 208, col 5, ln 20-25/ Fig. 2), the layer enabling

the first architecture layer and the second architecture layer to communicate directly without

having to communicate via the layer(col 2, ln 55-60/col 3, ln 13-17/col 5, ln 9-19/ ln 54-67).

Edward does not explicit teach the layer as transparent. However, Edwards teaches transparent

(the RFM component layer 206 receives the read and write requests from layer 204 ... it

processes the file pages read by layer 208, col 5, ln 11 – 19). It would have been obvious to one

of the ordinary skill in the art at the time the invention was made to apply the teaching of

Edwards because Edwards's transparent would provides more efficiency method and system for improving relational data access performance in retrieving row data.

4.   **As to claim 2,** Edwards teaches a first layer object (the RAM Codegen Executor Component layer 204, col 5, ln 19/ Fig. 2), a second layer object (the record file manager component layer 206, col 5, ln 5-19/ Fig. 2), a layer (the IO Random controller component layer 208, col 5, ln 20-25/ Fig. 2), the layer object configured to be hidden for communication between the first layer object and the second layer object/ the communication between each other by bypassing the layer (col 2, ln 55-60/col 3, ln 13-17/col 5, ln 9-19 and ln 54-67).

5.   **As to claim 3,** Edwards teaches a group comprising a control message, data (col 5, ln 44-48).

6.   **As to claim 4,** Edwards teaches the first layer object is configured to transmit the communication to the second layer object (col 5 , ln 5-9).

7.   **As to claim 5**, Edwards teaches the second layer object is configured to transmit the communication to the first layer object (col 8, ln 27-32).

8.   **As to claim 6,** Edwards teaches collapse the transparent layer object when the first layer object and the second layer object relay the communication (col 2, ln 55-60/col 3, ln 13-17/col 5, ln 9-19 and ln 54-67).

9.   **As to claim 7,** Edwards teaches a plurality of transparent layer objects (a multi-layered relational database manager, col 2, ln 49-50).

10.   **As to claim 8,** Edward teaches the communication comprises data (col 5, ln 48-50).

11.   **As to claim 9,** Edward teaches configured to receive data, to transmit the data to the first

layer object, to receive other data from the first layer, and to render the other data (col 4, ln 65-67

to col 5, ln 1-4), user interface attachable to the first layer (col 1, ln 34 –38).

12.   **As to claim 14,** Edwards teaches an province configured (MFM component layer 206,

col 8, ln 30-32), an action province configured with logic to process an action and to generate at

least one query requesting data (col 5, ln 14-17/col 8, ln 53-56), query requesting data (col 5, ln

45-48), a yoke province (RAM Codegen Executor layer 204, col 5, ln 33), identify a database

with a database type to which the query corresponds (col 5, ln 42-44), initiate a connection with

the database to transmit the query to the database(col 5, ln 45-48), retrieve data in response to

the query(col 5, ln 47-50), transmit the data to the action province(col 8, ln 29-32), a witness

province(the Io Random Controller component layer 208, col 5, ln 20-21), the witness province

configured to identify the action occurring via an input/output interface (col 5, ln 20-23), notify

with the action at least one member of a group(col 8, ln 51-53), at least one layer configured to

enable communication with a surrounding layer without having to communicate via the layer(

col 2, ln 55-60/col 3, ln 13-17/col 5, ln 9-19 and ln 65-67).

13.   **As to claim 15,** it is an apparatus claim of claim 10; therefore, it is rejected for the same

reason as claim 10 above.

14.   **As to claim 16,** Edwards teaches apply logic to action and to direct transfers of the action

the query (col 8, ln 44-46), store the data (col 8, ln 53-56), initiate storage and retrieval of the

data to and from the database by identifying the database and generating the query for the

database (col 8, ln 27-32), format the query generated from the persistent layer to the database

format required by the database (col 5, ln 10-16).

15.   **As to claim 18,** Edwards teaches the witness yoke province comprises a nomadic layer

object configured to make a connection to the database and to pass the query to the database (col

5, ln 20-25/col 8, ln 44-46).

16.   Claims **10 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Edwards et al (US. 6,353,819 B1) as applied to claim 1 above in view of Beer (US. Patent

5,793,368).

17.   **As to claim 10,** Edwards does not teach a selected user interface type dynamically

selectable and dynamically interchangeable from a plurality of user interface types. However,

Beer teaches a selected user interface type dynamically selectable and dynamically

interchangeable from a plurality of user interface types (dynamically switch between visual

styles, col 2, ln 10-15).

18.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Edwards and Beer because Beer's dynamically switch

between visual styles would reduces security risks when loading applications from servers by

avoiding use of machine code in defining a user interface.

19.   **As to claim 11,** Edwards teaches a graphical user interface, a web enable interface, a

handles device interface, a voice simulate interface, a voice response interface, a voice activated

interface, a voice recognition interface, and an audio interface (col 1, ln 18 -25).

20.   Claims **12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Edwards et al (US. 6,353,819 B1) as applied to claim 1 above in view of Rick (CA Ship

Database-Management Suite For E-Commerce).

21.   As to claim 12, Edwards does not teaches a plurality of databases, each database having

a different database type. However, Rick teaches a plurality of databases, each database having a

different database type (the oracle database... Sybase databases, page 1, ln 22-23).

22.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Edwards and Rick because Rick's a plurality of databases

and each database having a different database type would provide greater availability than a

single instance accessing a single database.

23.   As to claim 13, Rick teaches a structured query language database, an Oracle database, a

DB2 database, and an XML-based database (page 1, ln 22 –23).

Allowable Subject Matter

24.   Claim **17** is objected to as being dependent upon a rejected base claim, but would be

allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims.

25.   Claims **19-24** are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The

examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR of Public PAIP. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIP

system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

September 22, 2004

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